

REMARKS

This responds to the Office Action mailed on January 4, 2008.

Claims 95-119 are pending in this application.

Examiner Interview

A telephonic interview with the Examiner was conducted on March 4, 2008. An interview summary was generated by the Examiner with a notification date of March 17, 2008. During the interview, the Applicants addressed the 103 rejection by the Examiner as related to the Examiner's interpretation of the Feedback Forum (eBay.com, November 10, 1999, via web.archive.org). Differences between the "predefined feedback" as claimed at least in claim 1 and the "feedback rating system" and the rating points as taught by the Feedback Forum were discussed. The Examiner understood the differences presented by the Applicants. No exhibit was shown or demonstrated.

§103 Rejection of the Claims

Claims 95-105 and 107-118 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Feedback Forum (eBay.com, November 10, 1999, via web.archive.org) in view of Fuerst (U.S. 6,189,029).

Independent claim 95 recites in part:

"presenting predefined feedback comments using an Internet connection to a first user in
response to an online payment transaction between the first user and a second user
and at the request of the first user and wherein the predefined feedback comments
are presented in a feedback forum;
receiving a selection for one of the predefined feedback comments from the first user,
wherein the selection represents feedback that the first user is supplying and that
is to be associated with the second user with respect to the online payment
transaction; and
retaining an association of the first user, the online payment transaction, the selection,
and the second user."

(Emphasis added.)

The Examiner rejected claim 95 alleging that the limitation “presenting the predefined feedback comments” is taught by the Feedback Forum citing that the positive, negative or neutral comments of the feedback rating system being three predefined terms.

As clarified by the Applicants with the Examiner during the telephonic interview on March 4, 2008, the feedback rating system of the Feedback Forum merely teaches having a point (+1, 0, or -1) assigned to a type of comment based on whether the comment is a positive, neutral or negative comment. Applicants submit that the Feedback Forum fails to teach having “predefined feedback comments.”

Applicants therefore submit that, at least for the above reason, this rejection has been overcome and claim 95 and its dependent claims 96-101 are patentable over the Feedback Forum in view of Fuerst.

Applicants further submit that, at least for the same reason presented above, independent claims 102, 108 and 114 and their corresponding dependent claims are also patentable over the Feedback Forum in view of Fuerst.

Claims 106 and 119 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Feedback Forum in view of Fuerst and further in view of Bayer et al. (U.S. 6,311,190; hereinafter “Bayer”).

Since claim 106 depends from claim 102 and claim 119 depends from claim 114, and since both claims 102 and 114 are patentable, Applicants submit that claims 106 and 119 are also patentable. This rejection has been overcome.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 408-278-4059 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
408-278-4059

Date March 24, 2008

By

David N. Tran

David N. Tran
Reg. No. 50,804

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24 day of March 2008.

Name

Signature